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RCE/1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/651,851 Confirmation No.: 8124
Applicant(s) : Richard G. Cartledge, et al.
Filed : August 29, 2003
TC/A.U. : 3738
Examiner : Thomas Sweet
Title : Methods For Controlling The Internal
Circumference Of An Anatomic Orifice Or Lumen
Docket No. : 28099-0005
Customer No. : 24633

Mail Stop RCE
Commissioner of Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

REQUEST FOR CONTINUED EXAMINATION (RCE)

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

1. The required submission under 37 C.F.R. § 1.114
 - a. ☐ Was previously submitted
 - i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on December 23, 2002
 - ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on
 - iii. ☐ Other
 - b. ☒ Is enclosed
 - i. ☒ Amendment/Reply
 - ii. ☐ Affidavit Under 37 CFR § 1.132
 - iii. ☐ Information Disclosure Statement (IDS)
 - iv. ☐ Other

☒ **Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. §1.17(a), for the total number of months checked below:**

07/27/2007 SZEWDIE1 00000005 10651851

01 FC:2801
02 FC:2251

395.00 OP
60.00 OP

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2. Total Months Fee for
 Requested Extension
- | | |
|---|--------------------|
| <input checked="" type="checkbox"/> one month | \$ 120.00/60.00 |
| <input type="checkbox"/> two month | \$ 450.00/225.00 |
| <input type="checkbox"/> three month | \$ 1020.00/510.00 |
| <input type="checkbox"/> four month | \$ 1590.00/795.00 |
| <input type="checkbox"/> fifth month | \$ 2160.00/1080.00 |

Extension of time fee due with this request: \$ 60.00
If an additional extension of time is required, please consider this a Petition therefore.

3. **Fee Calculation (37 C.F.R. § 1.16)**

CLAIMS FOR FEE CALCULATION					
	Number of Current Claims	Highest Number of Claims	Number Extra	At Rate of	Filing Fee Small Entity \$395.00
Total Claims (37 C.F.R. §1.16(c))	22	22	0	\$ 50.00 each =	0.00
Independent Claims (37 C.F.R. §1.16(b))	2	4	0	\$ 200.00 each =	0.00
One Month Extension of Time Fee (Small Entity)					60.00
TOTAL FILING FEE =					455.00

4. **Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1,103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other

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5. **Fees:**

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

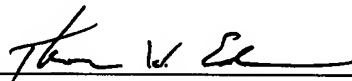
- a. ☒ A check in the amount of \$ 455.00 is enclosed for the RCE fee is \$ 395.00 and a 1-month extension of time fee of \$60.00 noted above.
- b. ☐ The Commissioner is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 50-1349.
- i. ☐ RCE fee required under 37 C.F.R. § 1.17(e) in the amount of \$
- ii. ☐ Extension of time fee (37 C.F.R. § 1.17(a)) in the amount of \$
- iii. ☐ Other
- ☒ **Except** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-1349. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. §1.136(a)(3).

Respectfully submitted,

HOGAN & HARTSON LLP

Dated: July 26, 2007

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